

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O. O. C. J.

WRIT PETITION (LODG.) NO.1044 OF 2007

Bam Bahadur Koilal Shrivastav
(C/o. Wam Ganpat Dhopse)

..Petitioner.

Vs.

Slum Rehabilitation Authority & Ors.

..Respondents.

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Mr. R.A. Yadav for the Petitioner.

Mr. G.D. Utangale i/b M/s. Utangale & Co. for Respondent No.1.

Mr. Pradeep Jadhav, AGP for the State.

Ms. Manjusha S. Kumbhar i/b Mr. D.S. Sakhalkar for Respondent No.4.

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CORAM: SWATANTER KUMAR, C.J. &
DR. D.Y. CHANDRACHUD, J.

30th July, 2007.

P.C. :

1. Factual controversies arise in the present case, which can hardly be adjudicated upon under Article 226 of the Constitution of India. We relegate the Petitioner to make a representation with whatever documents he has to the Municipal Corporation for including his name in Annexure II, whereafter he can approach the Slum Rehabilitation Authority for appropriate reliefs. This direction has become necessary primarily for the reason that according to the learned counsel for the Slum

Rehabilitation Authority, the name of the Petitioner is not incorporated in Annexure II in relation to the structure in question and therefore he could not be included to participate in the rehabilitation scheme.

2. Let such a representation be made within two weeks from today which shall be considered by the Colony Officer, G South Ward within six weeks thereafter. The Respondent shall pass appropriate order if the representation is made. The order passed shall be communicated to the Petitioner. In the event the Petitioner does not make any representation annexing the relevant documents, the benefits which accrue to the Petitioner from this Petition shall be deemed to have been withdrawn and the Petition shall stand dismissed.

3. Leave to the Petitioner to stay in the transit accommodation for a period of eight weeks from today.

The Petition is accordingly disposed of in the aforesaid terms.

CHIEF JUSTICE

DR. D.Y. CHANDRACHUD, J